

MESSAGE NO: 3010202 MESSAGE DATE: 01/10/2003

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-423-805

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 08/01/1997 TO 07/31/2001

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION OF STEEL PLATE FROM BELGIUM (A-423-805)

MESSAGE NO: 3010202

DATE: 01 10 2003

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 423 - 805

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PERIOD COVERED: 08 01 1997 TO 07 31 2001

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION OF STEEL PLATE FROM BELGIUM (A-423-805)

1. THE DEPARTMENT OF COMMERCE DOES NOT AUTOMATICALLY CONDUCT ADMINISTRATIVE REVIEWS OF ANTIDUMPING DUTY ORDERS. INSTEAD, REVIEWS MUST BE REQUESTED IN ACCORDANCE WITH SECTION 351.213 OF THE COMMERCE DEPARTMENT REGULATIONS.

2. THE DEPARTMENT OF COMMERCE HAS NOT RECEIVED A REQUEST FOR AN ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER FOR THE PERIODS AND ON THE MERCHANDISE LISTED BELOW. THEREFORE, IN ACCORDANCE WITH SECTION 351.212(C) OF THE COMMERCE DEPARTMENT

REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES ON ALL
MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR
CONSUMPTION

AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF
ENTRY.

MERCHANDISE/CUSTOMS CASE NUMBER

PERIOD

CUT-TO-LENGTH CARBON STEEL PLATE FROM BELGIUM 8/1/1997 -
7/31/1998

(A-423-805)

LIQUIDATE ALL ENTRIES FOR ALL FIRMS

CUT-TO-LENGTH CARBON STEEL PLATE FROM BELGIUM 8/1/2000 -
7/31/2001

(A-423-805)

LIQUIDATE ALL ENTRIES FOR ALL FIRMS

3. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF
SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND
PERIOD LISTED ABOVE. YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS
OF ESTIMATED ANTIDUMPING DUTIES FOR SUBSEQUENT ENTRIES OF THE
SUBJECT MERCHANDISE AT THE CURRENT RATES.

4. NOTE HOWEVER, THAT CUSTOMS SHOULD EXCLUDE ENTRIES OF CUT-TO-
LENGTH FLOOR PLATE FROM BELGIUM IMPORTED BY DUFERCO STEEL, INC. "
WITH PATTERNS IN RELIEF DERIVED DIRECTLY FROM THE ROLLING
PROCESS"

FROM THE SCOPE OF THE ANTIDUMPING DUTY ORDER ON CUT-TO-LENGTH
CARBON STEEL PLATE FROM BELGIUM (A-423-805). SEE OCTOBER 17, 2002
UNITED STATES COURT OF INTERNATIONAL TRADE ORDER (SLIP OP. 02-
125). SEE ALSO MESSAGE NUMBER 2344201. ACCORDINGLY, CUSTOMS
SHOULD LIQUIDATE SUCH ENTRIES BY DUFERCO WITHOUT REGARD TO
ANTIDUMPING DUTY REQUIREMENTS.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE ON
SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE
PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778

REQUIRES THAT CUSTOMS PAY INTEREST ON OVERPAYMENT AND ASSESS INTEREST ON UNDERPAYMENT OF THE REQUIRED AMOUNT DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CUSTOMS SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(F)(2) OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO

LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IS HAS AN AGREEMENT WITH THE EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CUSTOMS SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, IMPORT OPERATIONS, ANTIDUMPING COUNTERVAILING DUTY USING THE ATTRIBUTE "HQ OAB." IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT SCOT FULLERTON OR MAUREEN FLANNERY AT 202-482-1386 OR 202-482-3020, AD CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party